

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

RANDOLPH and GLORIA LONG, )  
Plaintiffs, )  
v. ) No. 3:04-CV-203  
MONACO COACH CORPORATION, ) (Phillips/Shirley)  
Defendant. )

**ORDER**

A status conference was held in this case on September 15, 2005. From the various motions filed by the parties, it appears to the court that this case will not be ready for trial on October 6, 2005. The court is concerned by the lack of diligence by counsel for both plaintiff and defendant in preparing this case. In order that this matter may be tried on the merits and not on procedural technicalities, the court will continue the trial date.

Accordingly, the trial in this case is continued from October 6, 2005 and will commence on **March 8, 2006**. A final pretrial conference will be held at **1:00 p.m. on March 1, 2006**. All deadlines in the scheduling order [Doc. 12] shall be adjusted in accordance with the new trial date.

**IT IS FURTHER ORDERED** that the court's order denying defendant's motion to file expert disclosures out of time [Doc. 43] is **WITHDRAWN**. Defendants may file their expert disclosures in accordance with the new trial date.

**IT IS FURTHER ORDERED** that plaintiff's motion to strike defendant's answer to the amended complaint [Doc. 52] is **DENIED**. Leave to amend pleadings "shall be freely given when justice so requires." Rule 15, Federal Rules of Civil Procedure.

**IT IS FURTHER ORDERED** that defendant's motion to exclude plaintiffs' testimony is **DENIED**.

**ENTER:**

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s/ Thomas W. Phillips  
United States District Judge